

108TH CONGRESS
2D SESSION

H. R. 4961

To extend State Medicaid fiscal relief.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2004

Mr. KING of New York (for himself and Mr. BROWN of Ohio) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To extend State Medicaid fiscal relief.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicaid Act of 2004”.

5 **SEC. 2. EXTENSION OF MEDICAID STATE FISCAL RELIEF.**

6 (a) EXTENSION OF TEMPORARY FREEZE OF MED-
7 ICAID FMAP FOR CERTAIN STATES.—Section 401(a) of
8 the Jobs and Growth Tax Relief Reconciliation Act of
9 2003 (42 U.S.C. 1396d note) is amended—

10 (1) in the subsection heading, by striking
11 “\$10,000,000,000 FOR A”;

12 (2) in paragraph (2)—

1 (A) in the paragraph heading, by striking
2 “FIRST 3 QUARTERS OF”; and

3 (B) by striking “the first, second, and
4 third calendar quarters” and inserting “each
5 calendar quarter”;

6 (3) by redesignating paragraphs (3) through
7 (9) as paragraphs (4) through (10), respectively;
8 and

9 (4) by inserting after paragraph (2), the fol-
10 lowing:

11 “(3) PERMITTING MAINTENANCE OF FISCAL
12 YEAR 2004 FMAP FOR FISCAL YEAR 2005.—Subject to
13 paragraph (6), if the FMAP determined without re-
14 gard to this subsection for a State for fiscal year
15 2005 is less than the FMAP as so determined for
16 fiscal year 2004, the FMAP for the State for fiscal
17 year 2004 shall be substituted for the State’s FMAP
18 for each calendar quarter of fiscal year 2005, before
19 the application of this subsection.”.

20 (b) TEMPORARY INCREASE IN MEDICAID FMAP FOR
21 ALL STATES.—Section 401(a) of the Jobs and Growth
22 Tax Relief Reconciliation Act of 2003 (42 U.S.C. 1396d
23 note), as amended by subsection (a), is amended by strik-
24 ing paragraphs (4) and (5) (as redesignated by subsection
25 (a)(3)) and inserting the following:

1 “(4) TEMPORARY INCREASE IN MEDICAID
2 FMAP.—

3 “(A) GENERAL 2.95 PERCENTAGE POINTS
4 INCREASE FOR LAST 2 CALENDAR QUARTERS OF
5 FISCAL YEAR 2003 AND FIRST 3 CALENDAR
6 QUARTERS OF FISCAL YEAR 2004.—Subject to
7 paragraphs (6), (7), and (8), for each State for
8 the third and fourth calendar quarters of fiscal
9 year 2003 and for the first, second, and third
10 calendar quarters of fiscal year 2004, the
11 FMAP (taking into account the application of
12 paragraphs (1), (2), and (3)) shall be increased
13 by 2.95 percentage points.

14 “(B) GENERAL 1.60 PERCENTAGE POINTS
15 INCREASE FOR LAST CALENDAR QUARTER OF
16 FISCAL YEAR 2004 AND EACH CALENDAR QUAR-
17 TER OF FISCAL YEAR 2005.—Subject to para-
18 graphs (6), (7), and (8), for each State for the
19 fourth calendar quarter of fiscal year 2004 and
20 each calendar quarter of fiscal year 2005, the
21 FMAP (taking into account the application of
22 paragraphs (1), (2), and (3) but without regard
23 to the application of subparagraph (A)) shall be
24 increased by 1.60 percentage points.

1 “(5) INCREASE IN CAP ON MEDICAID PAYMENTS
2 TO TERRITORIES.—

3 “(A) LAST 2 CALENDAR QUARTERS OF FIS-
4 CAL YEAR 2003 AND FIRST 3 CALENDAR QUAR-
5 TERS OF FISCAL YEAR 2004.—Subject to para-
6 graphs (7) and (8), with respect to the third
7 and fourth calendar quarters of fiscal year
8 2003 and the first, second, and third calendar
9 quarters of fiscal year 2004, the amounts other-
10 wise determined for Puerto Rico, the Virgin Is-
11 lands, Guam, the Northern Mariana Islands,
12 and American Samoa under subsections (f) and
13 (g) of section 1108 of the Social Security Act
14 (42 U.S.C. 1308) shall each be increased by an
15 amount equal to 5.90 percent of such amounts.

16 “(B) LAST CALENDAR QUARTER OF FISCAL
17 YEAR 2004 AND EACH CALENDAR QUARTER OF
18 FISCAL YEAR 2005.—Subject to paragraphs (7)
19 and (8), with respect to the fourth calendar
20 quarter of fiscal year 2004 and each calendar
21 quarter of fiscal year 2005, the amounts other-
22 wise determined for Puerto Rico, the Virgin Is-
23 lands, Guam, the Northern Mariana Islands,
24 and American Samoa under subsections (f) and
25 (g) of section 1108 of the Social Security Act

1 (42 U.S.C. 1308) shall each be increased by an
2 amount equal to 2.52 percent of such
3 amounts.”.

4 (c) CONFORMING AMENDMENTS.—Section 401(a) of
5 the Jobs and Growth Tax Relief Reconciliation Act of
6 2003 (42 U.S.C. 1396d note), as amended by subsections
7 (a) and (b), is amended—

8 (1) in paragraph (1), by striking “paragraph
9 (5)” and inserting “paragraph (6)”;

10 (2) in paragraph (2), by striking “paragraph
11 (5)” and inserting “paragraph (6)”;

12 (3) in paragraph (7) (as redesignated by sub-
13 section (a)(3))—

14 (A) by striking “paragraph (4)” each place
15 it appears and inserting “paragraph (5)”;

16 (B) by striking “paragraph (3)” each place
17 it appears and inserting “paragraph (4)”;

18 (4) in paragraph (8) (as so redesignated), by
19 striking “the first, second and third calendar quar-
20 ters of fiscal year 2004” and inserting “each cal-
21 endar quarter of fiscal year 2004 and fiscal year
22 2005”; and

1 (5) in paragraph (10) (as so redesignated), by
2 striking “October 1, 2004” and inserting “January
3 1, 2005”.

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